

LICENSING ACT 2003 SUB-COMMITTEE

Friday, 30 January 2015

Present:

Councillors M Hornby
S Niblock
J Salter

49 APPOINTMENT OF CHAIR

Resolved – That Councillor J Salter be appointed Chair for this meeting.

50 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Sub-Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

51 EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest test had been applied and favoured exclusion.

52 APPLICATION TO TRANSFER A PREMISES LICENCE UNDER THE LICENSING ACT 2003 - LAIRD STREET CONVENIENCE STORE, 177 LAIRD STREET, BIRKENHEAD

The Strategic Director of Regeneration and Environment reported upon an application received to Transfer a Premises Licence under the provisions of the Licensing Act 2003.

The report was exempt because it contained sensitive and personal information regarding the individual concerned.

It was reported that an Objection Notice had been received from Merseyside Police in respect of the application to Transfer the Premises Licence as Merseyside Police considered that the granting of the application would undermine the crime prevention objective. A copy of the Notice of Objection was available.

The applicant attended the meeting together with an employee. Sergeant Barrigan made representations in respect of the employee being in attendance due to the matter being exempt and the information that may be shared that had not previously been shared relating to another individual in respect of the premises.

The applicant confirmed that he was content for the employee to leave the meeting and to be called upon as a witness if necessary.

The employee left the meeting.

Sergeant S Barrigan and Ms H Neary, Office Manager were in attendance together with Ms H Jones, Trading Standards.

The Licensing Manager confirmed all documentation had been sent and received including the statement that had been circulated prepared by the Senior Assistant Trading Standards Officer.

The applicant made representations in support of his application.

Sergeant Barrigan made representations regarding the Objection Notice submitted by Merseyside Police.

Ms Jones provided evidence in respect of her statement submitted by Merseyside Police.

Sergeant Barrigan and the applicant responded to questions from Members of the Sub-Committee and Mr D K Abraham, Legal Advisor to the Sub-Committee.

Members gave careful consideration to the application and listened carefully to the representations made.

In determining the application Members had regard to the prevention of crime and disorder objective, the Council's Statement of Licensing Policy and relevant guidance issued under Section 182 of the Licensing Act 2003.

Resolved - That the application to Transfer the Premises Licence in respect of Laird Street Convenience Store, 177 Laird Street, Birkenhead, be refused under the provisions of the Licensing Act 2003.

53 **APPLICATION TO VARY A PREMISES LICENCE TO SPECIFY AN INDIVIDUAL AS A DESIGNATED PREMISES SUPERVISOR UNDER THE LICENSING ACT 2003**

The Strategic Director of Regeneration and Environment reported upon an application received to Vary a Premises Licence to specify an individual as a Designated Premises Supervisor under the provisions of the Licensing Act 2003.

The report was exempt because it contained sensitive and personal information regarding the individual concerned.

It was reported that an Objection Notice had been received from Merseyside Police in respect of the application to Vary the Premises Licence to specify an individual as a Designated Premises Supervisor as Merseyside Police considered that the granting of the application would seriously undermine the crime prevention objective. A copy of the Notice of Objection was available.

The proposed Designated Premises Supervisor attended the meeting and made representations in support of the application.

Sergeant S Barrigan and Ms H Neary, Office Manager attended the meeting together with Ms H Jones, Trading Standards. Sergeant Barrigan made representations regarding the Objection Notice submitted by Merseyside Police.

Sergeant Barrigan and the proposed Designated Premises Supervisor responded to questions from Members of the Sub-Committee and Mr D K Abraham, Legal Advisor to the Sub-Committee.

Members gave careful consideration to the application and the representations made.

In determining the application Members had regard to the prevention of crime and disorder objective, the Council's Statement of Licensing Policy and relevant guidance issued under Section 182 of the Licensing Act 2003.

Resolved - That the application to Vary the Premises Licence to specify an individual as a Designated Premises Supervisor in respect of Laird Street Convenience Store, 177 Laird Street, Birkenhead, be refused under the provisions of the Licensing Act 2003.